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**ARTICLE 8. ASSAULTS ON OFFICERS, FIREFIGHTERS, OR EMERGENCY MEDICAL
TECHNICIANS PUBLIC SAFETY EMPLOYEES AND VOLUNTEERS**

R9-6-801. Definitions

In this Article, unless otherwise specified:

1. “Agency” means any board, commission, department, office, or other administrative unit of the federal government, the state, or a political subdivision of the state.
2. “Agent” means a virus or bacterium that causes a disease or syndrome in a human.
3. “Average window period” means the typical time between exposure to an agent and the ability to detect infection with the agent in human blood.
4. “Chief medical officer” means the senior health care provider or that individual's designee who is also a health care provider.
5. “Emergency medical technician” means one of the following who is named as the victim of a subject's assault in a petition filed under A.R.S. § 13-1210 and granted by a court:
 - a. A “basic emergency medical technician,” defined in A.R.S. § 36-2201;
 - b. An “emergency paramedic,” defined in A.R.S. § 36-2201; or
 - c. An “intermediate emergency medical technician,” defined in A.R.S. § 36-2201.
- 6.1. “Employer” means an individual in the senior leadership position with the an agency or entity for which the officer, firefighter, or emergency medical technician a named public safety employee or volunteer works or that individual's designee.
7. “Entity” has the same meaning as “person” in A.R.S. § 1-215.
8. “Facility” means an institution in which a subject is incarcerated or detained.
9. “Firefighter” means an individual who is a member of a state, federal, tribal, city, county, district, or private fire department and who is named as the victim of a subject's assault in a petition filed under A.R.S. § 13-1210 and granted by a court.
10. “Health care provider” means:
 - a. An individual licensed as a doctor of:
 - i. Allopathic medicine under A.R.S. Title 32, Chapter 13;
 - ii. Naturopathic medicine under A.R.S. Title 32, Chapter 15;
 - iii. Osteopathic medicine under A.R.S. Title 32, Chapter 17; or
 - iv. Homeopathic medicine under A.R.S. Title 32, Chapter 29;
 - b. A physician assistant, as defined in A.R.S. § 32-2501;
 - c. A registered nurse, as defined in A.R.S. § 32-1601; or
 - d. A registered nurse practitioner, as defined in A.R.S. § 32-1601.

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- 11. ~~“Laboratory report” means a document, produced by a laboratory that conducts a test or tests on a subject’s blood, that shows the outcome of each test and includes personal identifying information about the subject.~~
- 12. ~~“Medical examiner” means an individual:~~
 - a. ~~Appointed as a county medical examiner by a county board of supervisors under A.R.S. § 11-591, or~~
 - b. ~~Employed by a county board of supervisors under A.R.S. § 11-592 to perform the duties of a county medical examiner.~~
- 2. “Named public safety employee or volunteer” means the public safety employee or volunteer who is listed as the assaulted individual in a petition filed under A.R.S. § 13-1210 and granted by a court.
- 13. ~~“Occupational health care provider” means a health care provider who provides medical services for work-related health conditions for an agency or entity for which an officer, firefighter, or emergency medical technician works.~~
- 3. **“Occupational health provider” means a physician, physician assistant, registered nurse practitioner, or registered nurse, as defined in A.R.S. § 32-1601, who provides medical services for work-related health conditions for an agency or entity for which a named public safety employee or volunteer works.**
- 14. ~~“Officer” means a law enforcement officer, probation officer, surveillance officer, correctional service officer, detention officer, or private prison security officer who is named as the victim of a subject’s assault in a petition filed under A.R.S. § 13-1210 and granted by a court.~~
- 15. ~~“Officer in charge” means the individual in the senior leadership position or that individual’s designee.~~
- 16. ~~“Personal notice” means informing an individual by speaking directly to the individual while physically present with the individual.~~
- 17. ~~“Petition” means a formal written application to a court requesting judicial action on a matter.~~
- 4. “Public safety employee or volunteer” means the same as in A.R.S. § 13-1210.
- 18. ~~“Subject” means an individual:~~
 - a. ~~Whom a court orders, under A.R.S. § 13-1210, to provide samples of blood for testing; or~~

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- b. ~~From whom, under A.R.S. § 13-1210, a medical examiner draws samples of blood for testing.~~
- 19. ~~“Telephonic notice” means informing an individual by speaking directly to the individual on the telephone, but does not include a message left on a recording device or with another individual.~~
- 20. ~~“Test results” means information about the outcome of a laboratory analysis and does not include personal identifying information about the subject.~~
- 21. ~~“Written notice” means a document that:~~
 - a. ~~Describes each test result;~~
 - b. ~~Identifies a subject only by court docket number; and~~
 - c. ~~Is provided to an individual:~~
 - i. ~~In person;~~
 - ii. ~~By delivery service;~~
 - iii. ~~By facsimile transmission;~~
 - iv. ~~By electronic mail; or~~
 - v. ~~By mail.~~
- 22. ~~“Work” means to labor with or without compensation.~~

R9-6-802. Notice of Test Results; ~~Subject Incarcerated or Detained~~

- A.** ~~Within 30 days after the date of receipt of a laboratory report for a test ordered by a health care provider on a subject's blood, the health care provider shall provide:~~
 - 1. ~~A copy of the laboratory report to the chief medical officer of the facility in person, by delivery service, by facsimile transmission, or by mail; and~~
 - 2. ~~Written notice to the occupational health care provider.~~
- B.** ~~Within 30 days after the date of receipt of a laboratory report, the chief medical officer of the facility shall provide:~~
 - 1. ~~Personal notice, telephonic notice, or written notice to the subject;~~
 - 2. ~~If requested by the subject, a copy of the laboratory report in person, by delivery service, by facsimile transmission, or by mail to the subject; and~~
 - 3. ~~Personal notice, telephonic notice, or written notice to the officer in charge of the facility.~~
- C.** ~~Within 30 days after the date of receipt of written notice, the occupational health care provider shall provide personal notice, telephonic notice, or written notice to the officer, firefighter, or emergency medical technician and the employer.~~

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- A.** Within ten working days after the date of receipt of a laboratory report for a test ordered by a health care provider, the **ordering health care provider** shall:
1. If the test is conducted on the blood of a court-ordered subject who is incarcerated or detained:
 - a. Provide a written copy of the laboratory report to the chief medical officer of the correctional facility in which the court-ordered subject is incarcerated or detained; and
 - b. Notify the occupational health provider in writing of the results of the test; and
 2. If the test is conducted on the blood of a court-ordered subject who is not incarcerated or detained:
 - a. Unless the court-ordered subject is deceased, notify the court-ordered subject as specified in subsection (D);
 - b. If requested by the court-ordered subject, provide a written copy of the laboratory report to the court-ordered subject; and
 - c. Notify the occupational health provider in writing of the results of the test.
- B.** Within five working days after the date of receipt of a laboratory report for a court-ordered subject who is incarcerated or detained, the chief medical officer of the correctional facility in which the court-ordered subject is incarcerated or detained shall:
1. Notify the court-ordered subject as specified in subsection (D);
 2. If requested by the court-ordered subject, provide a written copy of the laboratory report to the court-ordered subject; and
 3. Notify the officer in charge of the correctional facility as specified in subsection (E).
- C.** Within five working days after an occupational health provider receives written notice of test results as required in subsection (A), the occupational health provider shall notify:
1. The named public safety employee or volunteer as specified in subsection (D); and
 2. The employer as specified in subsection (E).
- ~~**D.** An individual who provides notice to a subject, officer, firefighter, or emergency medical technician as required under subsection (B) or (C) shall describe the test results and provide or arrange for the subject, officer, firefighter, or emergency medical technician to receive the following information about each agent for which the subject was tested:~~
- D.** An individual who provides notice to a court-ordered subject or named public safety employee or volunteer as required under subsection (A), (B), or (C) shall describe the test results and provide

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or arrange for the court-ordered subject or named public safety employee or volunteer to receive the following information about each agent for which the court-ordered subject was tested:

1. No change (*A description of the disease or syndrome caused by the agent, including its symptoms;*
2. No change (*A description of how the agent is transmitted to others;*
3. No change (*The average window period for the agent;*
4. No change (*An explanation that a negative test result does not rule out infection and that retesting for the agent after the average window period has passed is necessary to rule out infection;*
5. No change (*Measures to reduce the likelihood of transmitting the agent to others and that it is necessary to continue the measures until a negative test result is obtained after the average window period has passed or until an infection, if detected, is eliminated;*
6. No change (*That it is necessary to notify others that they may be or may have been exposed to the agent by the individual receiving notice;*
7. No change (*The availability of assistance from local health agencies or other resources; and*
8. The confidential nature of the court-ordered subject's test results.

~~E.~~ ~~An individual who provides notice to the employer or the officer in charge of the facility as required under subsection (B) or (C) shall describe the test results and provide or arrange for the employer or the officer in charge of the facility to receive the following information about each agent for which the subject's test results indicate the presence of infection:~~

E. An individual who provides notice to the officer in charge of a correctional facility, as required under subsection (B), or to an employer, as required under subsection (C), shall describe the test results and provide or arrange for the officer in charge of the facility or the employer to receive the following information about each agent for which a court-ordered subject's test results indicate the presence of infection:

1. No change (*A description of the disease or syndrome caused by the agent, including its symptoms;*
2. No change (*A description of how the agent is transmitted to others;*
3. No change (*Measures to reduce the likelihood of transmitting the agent to others;*
4. No change (*The availability of assistance from local health agencies or other resources; and*
5. The confidential nature of the court-ordered subject's test results.

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- ~~F.~~ An individual who provides notice under this Section shall not provide a copy of the laboratory report to anyone other than the chief medical officer of the facility or the subject.
- F. An individual who provides notice under this Section shall not provide a copy of the laboratory report to anyone other than the court-ordered subject and, if the court-ordered subject is incarcerated or detained, the chief medical officer of the correctional facility in which the court-ordered subject is incarcerated or detained.
- G. An individual who provides notice under this Section shall protect the confidentiality of the court-ordered subject's personal identifying information and test results.
- H. A health care provider who orders a test on the blood of a court-ordered subject who is not incarcerated or detained may, at the time the court-ordered subject is seen by **the ordering health care provider**, present the court-ordered subject with a telephone number and instruct the court-ordered subject to contact **the ordering health care provider** after a stated period of time for notification of the test results.
- I. Providing a telephone number and instructions as allowed by subsection (H) does not satisfy **the obligation of the health care provider who orders a test** to notify under subsection (A) if the court-ordered subject does not contact **the ordering health care provider** and receive the information specified in subsection (D).
- ~~H.J.~~ A health care provider who orders a test on a court-ordered subject's blood shall comply with all applicable reporting requirements contained in this Chapter.

R9-6-803. Notice of Test Results; Subject Not Incarcerated or Detained Repealed

- ~~A.~~ Within 30 days after the date of receipt of a laboratory report for a test ordered by a health care provider on a subject's blood, the health care provider shall provide:
- ~~1.~~ Unless the subject is deceased, personal notice, telephonic notice, or written notice to the subject;
 - ~~2.~~ If requested by the subject, a copy of the laboratory report in person, by delivery service, by facsimile transmission, or by mail to the subject; and
 - ~~3.~~ Written notice to the occupational health care provider.
- ~~B.~~ Within 30 days after the date of receipt of written notice, the occupational health care provider shall provide personal notice, telephonic notice, or written notice to the officer, firefighter, or emergency medical technician and the employer.
- ~~C.~~ An individual who provides notice to a subject, officer, firefighter, or emergency medical technician as required under subsection (A) or (B) shall describe the test results and provide or

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arrange for the subject, officer, firefighter, or emergency medical technician to receive the following information about each agent for which the subject was tested:

1. ~~A description of the disease or syndrome caused by the agent, including its symptoms;~~
2. ~~A description of how the agent is transmitted to others;~~
3. ~~The average window period for the agent;~~
4. ~~An explanation that a negative test result does not rule out infection and that retesting for the agent after the average window period has passed is necessary to rule out infection;~~
5. ~~Measures to reduce the likelihood of transmitting the agent to others and that it is necessary to continue the measures until a negative test result is obtained after the average window period has passed or until an infection, if detected, is eliminated;~~
6. ~~That it is necessary to notify others of the possibility of exposure to the agent by the individual receiving notice;~~
7. ~~The availability of assistance from local health agencies or other resources; and~~
8. ~~The confidential nature of the subject's test results.~~

D. ~~An individual who provides notice to the employer as required under subsection (B) shall describe the test results and provide or arrange for the employer to receive the following information about each agent for which the subject's test results indicate the presence of infection:~~

1. ~~A description of the disease or syndrome caused by the agent, including its symptoms;~~
2. ~~A description of how the agent is transmitted to others;~~
3. ~~Measures to reduce the likelihood of transmitting the agent to others;~~
4. ~~The availability of assistance from local health agencies or other resources; and~~
5. ~~The confidential nature of the subject's test results.~~

E. ~~An individual who provides notice under this Section shall not provide a copy of the laboratory report to anyone other than the subject.~~

F. ~~An individual who provides notice under this Section shall protect the confidentiality of the subject's personal identifying information and test results.~~

G. ~~A health care provider who orders a test on a subject's blood may, at the time the subject is seen by the health care provider, present the subject with a telephone number and instruct the subject to contact the health care provider after a stated period of time for telephonic notice of the test results. Providing a telephone number and instructions as allowed by this subsection does not satisfy the health care provider's obligation to notify under subsection (A) if the subject does not contact the health care provider and receive telephonic notice.~~

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H. ~~A health care provider who orders a test on a subject's blood shall comply with all applicable reporting requirements contained in this Chapter.~~